	Case 5:08-cv-05298-RMW	Document 6 Filed 12/15/08 Page 1 of 1
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5		<u>*E-FILED - 12/15/08*</u>
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8	IN THE UNITE	ED STATES DISTRICT COURT
9	FOR THE NORTHERN DISTRICT OF CALIFORNIA	
10	FOR THE NORTH	IERN DISTRICT OF CALIFORNIA
11	JAMES D. SMITH,) C 08-5298 RMW (PR)
12	Petitioner,))) JUDGMENT
13	vs.)
14	GREGORY AHERN,))
15	Respondent.))
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17		
18	The court has dismissed this action without prejudice. A judgment of dismissal without	
19	prejudice is hereby entered. The clerk s	shall close the file.
20	IT IS SO ORDERED.	Konald M. Whyte RONALD M. WHYTE
21	DATED: 12/12/08	
22		United States District Judge
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	Order of Dismissal P:\PRO-SE\SJ.Rmw\HC.08\Smith298jud.wpd	1